



K62 The Controversy of Death Involving Drugs of Abuse and TASERs®

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The goal of this presentation is to present the case history and toxicological findings of a fatality involving the use of a TASER® stun gun on an individual confirmed to have used cocaine. After attending this presentation, attendees will gain insight into the use of incapacitating devices by law enforcement personnel, the detection of illicit drugs in body fluids, and the contribution of each in rendering an opinion in a death investigation.

This presentation will impact the forensic community and/or humanity by reviewing a multi-jurisdictional death investigation involving an electrical weapon with the concurrent use of a drug of abuse. This combination continues to be prevalent in North America and controversial in regards to cause and manner of death.

The authors present the case history and toxicological findings of a fatality involving the use of a TASER® stun gun on an individual confirmed to have used cocaine. After attending this presentation, attendees will gain insight into the use of incapacitating devices by law enforcement personnel, the detection of illicit drugs in body fluids, and the contribution of each in rendering an opinion in a death investigation.

Numerous accounts of law enforcement personnel using TASER® stun guns to subdue suspects in the field and in custody have been reported. The prevalence of abstracts presented at recent AAFS meetings regarding the use of TASERs® attests to the continuing debate as to whether they are lethal weapons, non-lethal weapons, or something in-between.

A 36-year-old male was confronted by officers from a local township police department responding to reports of a suspicious person in the area pounding on doors and windows. The combative male resisted arrest and was subdued with at least five "drive stuns" (without probes) in the small of the back. (Note: one of the officers was shocked twice by his own TASER® during the confrontation). The male subject was also shocked in the abdominal region by another officer with the TASER® probes attached. The male subsequently fell into an Oriental pond containing approximately 2.5 feet of water. The officers promptly removed him from the water. He became unresponsive and was immediately transported to the nearest medical center where he was pronounced dead approximately 30 minutes later. An autopsy was performed and specimens were collected for toxicology testing (blood, bile, gastric and vitreous humor).

Routine toxicological analyses of postmortem blood and vitreous humor were conducted to aid in the determination of cause and manner of death. Thorough examination of the decedent was performed so as to ascertain whether the death was attributable to the use of TASER® stun guns or to the presence of illicit and/or prescription drugs or some other cause or combination of causes. The analytical procedures employed included immunoassays, spot tests, and gas chromatographic methods utilizing flame ionization, nitrogen-phosphorus, and mass spectrometric detection. The presence of cocaine/metabolites was indicated in the vitreous humor via immunoassay. Identification and quantitation of cocaine/metabolites was performed in the femoral blood revealing the following concentrations: 1465 ng/ml cocaine, 3036 ng/ml benzoylecgonine, positive ecgonine methyl ester. The presence of alcohol or other drugs of significance were not detected. The cause of death in this case was determined to be excited delirium due to cocaine intoxication and the manner of death accidental.

Use of incapacitating devices was temporarily suspended by the police department pending an investigation by the county sheriff's office. Each of the police department's 16 TASERs® was examined to ensure proper operation. Reporting of this incident prompted a number of law enforcement agencies in the region to conduct reviews of their respective TASER® policies. According to the manufacturer, TASER International, TASERs® are deployed as a non-lethal alternative to deadly force. However, other groups such as Amnesty International and the American Civil Liberties Union believe that TASERs® pose a serious health risk and should be considered as a contributing factor in TASER® related deaths.

TASER®, Cocaine, Death